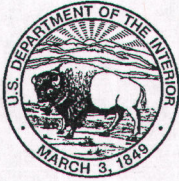


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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Fillmore Field Office

95 East 500 North

Fillmore, UT 84631

<http://www.blm.gov/ut/st/en/fo/fillmore.html>



IN REPLY REFER TO:
3600 (UTW02000)
UTU-90078

December 19, 2014

CERTIFIED MAIL # 7012 3460 0000 6633 3039
RETURN RECEIPT REQUESTED

Mr. Brent Cox
Cox Transportation
490 North 200 South
Manti, Utah 84642

:
:
:
:

43 CFR 3600 – Mineral Materials

DEC 22 2014

Processing Fee Required

DIV. OF OIL, GAS & MINING

The Fillmore Field Office (FFO) of the Bureau of Land Management (BLM) received your request for a new negotiated sale of 40,000 tons of fine-grained gypsum on November 4, 2014. As required by 43 Code of Federal Regulations (CFR) §3602.31(b), the BLM will charge the purchaser of mineral materials, which includes common-variety fine-grained gypsum, a processing fee on a case-by-case basis. This fee will be referred to as your "cost recovery" fee. As specified in CFR §3000.11(4)(iii), we will refund to you any money that we did not spend on processing costs.

The proposed sale is from the existing gypsum mine site, the legacy Quarry Mine pit, several miles southeast of Levan, Utah. The existing operation is located in Township 15 South, Range 1 West, Salt Lake Meridian, Section 31, in Lot 12. This application will be processed as a mineral material exclusive sale. The previous BLM case file number was UTU-86615. The new BLM case file number will be UTU-90078. Please refer to this number in future correspondence. The corresponding Utah Division of Oil, Gas and Mining (UDOGM) case file number is S/023/0096.

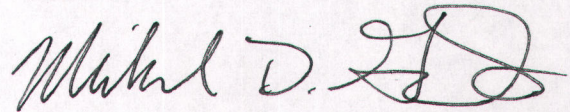
The BLM is required to provide the applicant a written fee estimate of the additional costs associated with obtaining a negotiated sale contract. The total estimated cost recovery fee is \$10,964.00 for the proposed negotiated sale contract and associated environmental analyses. Attached is a copy of the initial fee estimate for case-by-case processing. The processing costs will include an appraisal value for the fine-grained gypsum, since market sale prices change over time. You have the option of obtaining a third party contractor to complete the appraisal, NEPA documentation, and any required cultural and biological surveys. Any third party document will require review and approval by the BLM.

The Independent Offices Appropriation Act of 1952 (IOAA), 31 U.S.C. 9701 authorizes federal agencies to charge processing costs. The IOAA also states that these charges should pay for the agency services, as much as possible. The BLM also has specific authority to charge fees for processing applications and other documents relating to public lands under Section 304 of the Federal Land Policy and Management Act of 1976 (FLPMA) 43 U.S.C. 1734. The IOAA and Section 304 of FLPMA authorize the BLM to charge applicants for the cost of processing documents by issuing regulations. The final cost recovery rule, which was published in the Federal Register on October 7, 2005 (70 FR 58854), provides for fixed fees as well as case-by-case fees. A mineral materials negotiated sale has been designated a case-by-case basis by authority of 43 CFR §3602.31(b). The BLM must receive these funds prior to continuing any case processing.

You have 30 days from the receipt of this letter to provide comments on the estimated fees or return the signed Fee Estimate with your payment. If you submit comments or we do not hear from you within 30 days, you will be provided a final estimate with a billing statement. If in processing the application we encounter higher costs than anticipated, we will provide a revised cost estimate. If the bill is less than estimated, the BLM will refund any unused funds.

If you have any questions regarding your application or the fees connected with it, please contact Duane Bays, Fillmore Field Office Geologist, at (435) 743-3115.

Sincerely,



Michael D. Gates
Field Manager

Enclosure:

Initial Fee Estimate

cc:

Utah State Office
Bureau of Land Management
440 West 200 South, Suite 500
Salt Lake City, UT 84101-1345

Paul Baker
UDOGM
1594 W North Temple Ste 1210
Salt Lake City, UT 84114-5801

Minerals Cost Recovery Estimate Worksheet

Application Serial Number: UTU-90078

Applicant: Cox Transportation

Address: 490 North 200 South
Manti, UT 84642
801.706.3462

Contact: Brent Cox

Phone Number: 801.706.3462

Action Type: Negotiated Sale

Location: T. 15 S., R. 1 W., SLM, sec 31; Lots 12-13

Land Use Plan Conformance: YES

NEPA Action Required: DNA

3 acres disturbance, 40,000 tons

Cost Estimate

Personnel Needed for Processing

Realty Specialist/Land Law Examiner

Cultural/Native American Concerns

Farmlands/Floodplains/SocioEc/Energy

T&E Species (Animal)/Wildlife/Fisheries

T&E Species (Plant)

Invasive, Non-Native Species

Air/Fuels/Fire Management

Soils

ACECs/Recreation/Visual/Wilderness

Water/Range Mgmt. & S&Gs

Wetlands/Riparian

Woodland/Forestry

Geolgy/Mineral

Haz Mat

Administration/Contracting

Manager

NEPA Review and Coordination

Direct Costs: \$8,965

Indirect Costs: \$1,999

Total Cost: \$10,964

Is the projected amount in conformance with section 304(b) of FLPMA, 43 U.S.C. 1734: ____ Yes

Are the lands specified in the application available for specified action: _Yes

This cost estimate worksheet represents the reasonable costs that the BLM expects to incur in the processing of the above mentioned application. The estimated fee needs to be collected prior to the BLM continuing to process the application.

Prepared By: _____

Date: _____

Approved By: _____

Date: _____

Applicant Signature: _____

Date: _____